

FILED

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U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUISUNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MALIK COLEMAN,

Defendant.

No.

**4:21CR00075 MTS/NCC****MOTION FOR PRETRIAL DETENTION AND HEARING**

Comes now the United States of America, by and through its Attorneys, SAYLER A. FLEMING, United States Attorney for the Eastern District of Missouri, and Jennifer Szczucinski, Assistant United States Attorneys for said District, and moves the Court to order the Defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of the Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, § 3141, et seq.

As and for its grounds, the United States of America states as follows:

1. The Defendant is charged with being a felon in possession of one or more firearms, in violation of 18 U.S.C. § 922(g), an offense for which a maximum ten years imprisonment is prescribed under Title 18.

2. According to the St. Charles Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), on May 13, 2020, the Defendant and his significant other went to Kevin's Guns in St. Charles, Missouri. Coleman's significant other purchased an ATI, model Omni, 5.56mm pistol. Surveillance video from the store reflects that the Defendant was actively involved in the purchase of the firearm. The Defendant spoke with an employee, pointed toward firearms in the store, handled firearms, and talked to his significant other while they each held firearms, before settling on the ATI firearm. The Defendant's significant other did the paperwork and paid for the ATI firearm. Surveillance video also showed the Defendant appeared to pick out additional firearm magazines, which his significant

other purchased. St. Charles Police officers pulled over the vehicle the Defendant's significant other was driving for committing a traffic violation, a short distance from Kevin's Guns. While speaking with the Defendant and his significant other, the officers observed the ATI firearm and subsequently observed that a Glock 9mm firearm was located in the vehicle. The Defendant told the officers that the ATI firearm was meant to be a "house gun" and would be kept in a closet in the home in which he and his significant other resided. The Defendant also discussed his criminal history with the officers, including the fact that he was currently on probation. The officers released the Defendant and his significant other with a warning, but notified ATF that they were concerned the ATI firearm was a "straw purchase."

3. After additional investigation, ATF executed a search warrant at the Defendant and his significant other's home, located at 833 Rivertrail Court, Apartment 301, Saint Louis, Missouri, within the Eastern District of Missouri. ATF agents located the following items in the home: 1) Glock 9mm pistol, loaded with fifteen rounds of ammunition (the same Glock pistol observed on May 13, 2020); 2) Taurus 9mm pistol, loaded with twelve rounds; 3) ATI, model Omni, 5.56mm pistol (same ATI pistol purchased and observed on May 13, 2020); 4) Glock 9mm magazine, loaded with twenty-six rounds; 5) Taurus 9mm magazine, loaded with ten rounds; 6) 2 magazines for the ATI pistol; 7) 218 rounds of various caliber ammunition; 8) suspected marijuana and paraphernalia; 8) digital photographs reflecting the Defendant holding the ATI pistol and the Glock pistol, with a high capacity magazine. During an interview with the Defendant, he admitted handling the firearms, stating that he loaded the ATI pistol, as his significant other was unable to do so.

4. The Defendant's criminal history reflects that he has multiple felony convictions including, but not limited to, the following:

- 14SL-CR09441, *State of Missouri v. Malik Coleman*  
Guilty Plea/Sentence Date: April 23, 2015/June 8, 2015  
Count One: Robbery in the First Degree  
Count Two: Robbery in the First Degree  
Count Three: Robbery in the First Degree  
Sentence: 15 years pursuant to Mo. Rev. St. § 559.115

- 14SL-CR05055, *State of Missouri v. Malik Coleman*

Guilty Plea/Sentence Date: April 23, 2015/June 8, 2015

Count One: Robbery in the First Degree

Sentence: 15 years pursuant to Mo. Rev. St. § 559.115

5. At the time of the instant offense, the Defendant was still on probation for his conviction in Cause Nos. 14SL-CR09441 and 14SL-CR05055. A review of the police reports associated with the Defendant's prior convictions indicates that when law enforcement attempted to stop the Defendant while investigating one of the incidents, the Defendant fled from the officers.

6. There is a serious risk that the Defendant will flee, given the Defendant's history of flight from law enforcement and his failure to comply with supervision while on probation, and the potential sentence the Defendant faces in this case. The United States believes the Defendant may be an Armed Career Criminal, based on the nature of his criminal history. As such, the Defendant may be facing significant punishment.

7. The Defendant's criminal history and the nature and circumstances of the offense charged, reflect that there is a serious danger to the community that would be posed by the defendant's release. Further, there are no conditions or combination of conditions that will reasonably assure the Defendant's appearance as required.

WHEREFORE, the United States requests this Court to order the Defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of the Defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING  
United States Attorney

/s/ Jennifer Szczucinski  
JENNIFER SZCZUCINSKI, #56906MO  
Assistant United States Attorney